

BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA

TUESDAY

10:00 A.M.

JULY 14, 2015

PRESENT:

Marsha Berkgigler, Chair
Kitty Jung, Vice Chair
Vaughn Hartung, Commissioner

Nancy Parent, County Clerk
John Slaughter, County Manager
David Watts-Vial, Legal Counsel

ABSENT:

Jeanne Herman, Commissioner
Bob Lucey, Commissioner

The Washoe County Board of Commissioners convened at 10:00 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, which was led by Arnie Maurins, Library Director, the Clerk called the roll and the Board conducted the following business:

15-0562 AGENDA ITEM 3 Public Comment.

Ana Sanchez, spoke of her family pug that was attacked by a pit bull on January 13, 2015. She stated she wanted to bring public awareness about dangerous dogs. She felt insurance companies should designate certain breeds of dogs as dangerous. She asked the County to research other Ordinances regarding pit bulls. She remarked recently the Reno police had to taser and shoot two pit bulls that got loose from their homeless owner. She asked the Board to take action and place restrictions against felons owning pit bulls. She asked Animal Control to create a link for frequently asked questions and statistics on their website. She shared that the Nevada Humane Society and the Society for the Prevention of Cruelty to Animals (SPCA) claimed that chihuahuas were first when it came to dog fights, dachshunds were second and pit bulls were a mere third place. She commented that Animal Control should report dog attacks by breed so that the public could be well informed when choosing a breed to fit their lifestyle.

Sam Dehne spoke regarding the Confederate flag and he only thought about brave men who fought and died for something they believed in. He stated he had been following the fire department situation for a long time and according to the media, Washoe County was filing charges for a million and half dollars in compensation because of the breakup of the departments a few years ago. He said the Washoe County fire departments had done a great job.

Dr. Georgene Chase, Smile Restore, introduced herself as a native Nevadan. She talked about her legendary grandmother who was the first hot lunch program teacher in the County. She stated that many people in the County were lacking when it came to dental care,

JULY 14, 2015

PAGE 1

A-8/11/15
#6A

even if they had insurance. Many struggled just to put food on the table, much less pay for dental care. In 2008, when the economy collapsed, she started giving many of her dental services away in her private practice. Not wanting people to fall through the cracks, she supported people who had lost their jobs or did not have insurance. The first year she gave away \$72,000 of work; the next year was \$84,000; and last year she gave away \$92,000 of work. She opened Smile Restore, a non-profit dental clinic on Wells Avenue. The building was donated and she put \$68,000 of her own money into restoring it. She indicated it was not appropriate for the local hospitals to take care of dental issues because patients were given pain killers and antibiotics, which did not solve their dental problems. A patient she treated had a three-week hospital stay and upon discharge she was told she should probably get more antibiotics. The patient was not referred to a dentist even though she had two teeth that were bad. That incident cost the public a three-week hospital stay and the dental issue was not addressed. Dr. Chase submitted brochures which were placed on file with the Clerk and offered to come back to make an official presentation.

15-0563 **AGENDA ITEM 4** Announcements/Reports.

John Slaughter, County Manager, stated that Agenda Item 7, regarding the bid for the County Courthouse roof replacement, would be removed and brought back at a future date. He said the public hearing for Agenda Item 21, regarding the Southwest Gas franchise request, would be opened, but then continued at a later date. He noted Agenda Item 5J1 on the meeting of June 23rd misstated the expiration date for the reappointment of two individuals to the Washoe County Advisory Board to Manage Wildlife. The term was statutorily set for three years, so the expiration date should have been July 1, 2018. He said he discussed this issue with the District Attorney and the County Clerk. Mr. Slaughter received a letter from Michelle VanHorn regarding a seasonal employee, Recreation Specialist Shane Weckerly, who assisted with swim registration for her children. She wanted to thank Mr. Weckerly and all the swim instructors for their patience with the moms while they waited in line. She sincerely appreciated being greeted with a smile.

Commissioner Jung stated, with anticipation of the "Tesla effect", she was concerned about how growth would affect the community. She introduced a panel for an economical development conference that Western Nevada Development District put on along with Washoe County and the Cities. She said one of the speakers at the Economic Development Conference spoke at length about the importance of knowing when a boom would be coming, how to engage people who lived here and how to anticipate who would be moving here. The gentleman spoke about a city in Arizona as an example of how they ensured the people who were attracted to the jobs were also attracted to the area. She requested a future agenda item for the approval of more than two hours of staff time to research the issue. She also requested a future agenda item to approve two hours of staff time for the review of the best practices for public agencies regarding telecommuting. She heard the most productive work did not happen in an office, but in the early morning, late at night and on the weekends. She wondered if it was possible to determine if a telecommuting model was best for public agencies. It would be difficult for Human Resources (HR) to ensure accountability, but she thought there might be opportunities to innovate. She asked Dr. Georgene Chase to come back and give a presentation on Smile Restore. She noted she recently took a tour of Crossroads and discovered that Dr. Chase had an office at the Crossroads facility. She also visited the Northern Nevada Mental

Health Facility, which was remodeled to house more people who would otherwise be on the streets. She addressed the dangerous dog determination issue and said some work was needed to make the website more user friendly for end users. Finally, she commented that Commissioner Lucey and Commissioner Herman were in Charlotte, North Carolina at the Nevada Association of Counties (NACO) meeting. She reported Commissioner Lucey was appointed to the National Transportation Steering Committee and he was the State delegate who represented Nevada to elect National executive staff.

Commissioner Hartung confirmed he had taken the tour of Crossroads with officials from Renown and he also worked with Renown and the DUI taskforce to try to find solutions to get more people into Crossroads and out of the system. The Crossroads program made people accountable, was very successful and he was interested to see it grow. He wanted to see Dr. Chase partner with the Compassion Community Clinic if possible. The liaison for the Compassion Community Clinic was Kathy Secrist and Commissioner Hartung thought it would be a good idea to have Ms. Secrist and Dr. Chase make a presentation to the Board at the same meeting. One of the problems was getting more dentists to donate their services as the waiting list consisted of hundreds people that had dental issues.

Chair Berkbigler thanked staff for the Washoe County Mission and Vision wall art displayed in the Commission Chambers. She expressed her thanks to the County Manager and staff for keeping the Board focused and directed. She announced the Incline Village General Improvement District (IVGID) had been invited to make a presentation to the Board on August 25, 2015 at 3:00 p.m. She said the Board intended to support the Regional Governing Board, but there were some issues to address first. She requested staff to make a presentation regarding the Regional Governing Board budget in more detail including how many staff they had, what they were paid and what their jobs entailed. Next she discussed changes to smaller projects that did not substantially impact the Regional Governing Board and wondered if there were ways to restructure so not all projects had to go through them. She and the County Manager attended the Governors Conference on Economic Development and it focused on what was needed to house the people moving into the area due to growth. It was made clear that the housing projection numbers were much higher than the number of houses and the types of housing that would be available over the next five years. People who were moving to the area might not want to move onto one-acre lots, they might want efficiency, no-yard or multi-family housing. A greater discussion was needed regarding the creation of a Regional Governing Board. She stated that questions had surfaced about some of the master plans currently in place, but now Housing and Urban Development (HUD) rules had changed at the Federal level and some of the master plans could be in violation of current regulations. She thought this issue should be reviewed internally and brought back to the Board. She received a call from a constituent, stating they heard the County was considered a sanctuary County. County Manager, John Slaughter said he knew nothing about a change. Chair Berkbigler said she did not know how to get that designation, but it needed to come before the Board before a change could be made. She asked staff to research if there was a designation change.

Assistant District Attorney David Watts-Vial reminded the Board that since there were only three members of the Board present, any action would require a majority vote.

CONSENT ITEMS 5A THROUGH 5J3

- 15-0564** **5A** Approve minutes of the regular Washoe County Board of Commissioners meetings of May 26, June 9, and June 16, 2015.
- 15-0565** **5B** Approve reclassification request of a Principal Fiscal Analyst, pay grade S, to a Budget Manager, pay grade U as evaluated by Hay Group. [Net annual cost is estimated at \$21,483]. Human Resources. (All Commission Districts.)
- 15-0566** **5C** Approve the reorganization of the Incline Justice Court to include the reclassification of a full-time Deputy Clerk I position (Job Class No. 60001205, Position No. 70009155), pay grade J100 to a 30 hour/week part-time position; the reclassification of a 32 hour/week Interpreter/Clerk (Job Class No. 60001216, Position No. 70000136) to a full-time position, pay grade 135; and direct Human Resources to make all necessary adjustments effective July 14, 2015. [No fiscal impact.] Incline Justice Court. (Commission District 1)
- 15-0567** **5D** Approve a grant agreement from the Governor's Office of Economic Development (GOED) and the Economic Development Authority of Western Nevada (EDAWN) [in the amount of up to \$15,000 (GOED \$10,000, EDAWN \$5,000), with up to \$7,300 local match required (in-kind)], for a term from July 15, 2015-June 30, 2016, in support of Carson City Library's "Nevada's Working Capital" Project; direct Comptroller's Office to make the necessary budget adjustments and authorize the Director to sign the grant award documents. Library. (All Commission Districts.)
- 15-0568** **5E** Approve and execute a Non-Binding Memorandum of Understanding (MOU) confirming the intent of the State of Nevada, Washoe County Regional Communication System (WCRCS) and NV Energy and to move forward as one cohesive communications system to obtain a replacement public safety Project 25 Phase II communications system of a common manufacturer to assure a fully compatible statewide system. Technology Services. (All Commission Districts.)
- 15-0569** **5F1** Approve the Third Amendment to the Cooperative Agreement for Contractual Professional and Administrative Staff Services between the Western Regional Water Commission and Washoe County, retroactive to July 1, 2015 through June 30, 2016, to reimburse the Community Services Department for staff services provided to the Western Regional Water Commission and the Northern Nevada Water Planning Commission. (All Commission Districts.)
- 15-0570** **5F2** Approve a Water Rights Deed transferring 34.06 acre-feet of water rights from Washoe County to Craig R. Hopkins and Malcolm A. Moore as co-trustees of the Marion Hopkins 2012 Trust under Trust Agreement dated December 21, 2012. (Commission District 2.)

- 15-0571** **5F3** Approve a Water Rights Deed transferring 1.15 acre-feet of water rights from Washoe County to the Truckee Meadows Water Authority in support of expanded water service to Washoe County's South Truckee Meadows Water Reclamation Facility. (Commission District 2.)
- 15-0572** **5F4** Approve a Water Rights Deed with Assignment of Beneficial Interest to convey 125.00 acre feet of water rights held by Washoe County to the Reno Technology Park Water Company; and, approve a Water Rights Deed and Termination Agreement to re-convey 160.60 acre feet of water rights held by Washoe County to Stonefield, Inc.; and, approve a Water Rights Deed and Termination Agreement to re-convey the remaining 840.00 acre feet of water rights held by Washoe County to Patrick Properties, LLC. (Commission District 4.)
- 15-0573** **5F5** Approve, on the recommendation of the Chair, the appointment of Thomas Daly to the Washoe County Planning Commission representing Commission District 2 to fill a term beginning on July 14, 2015, and ending on June 30, 2019, or until such time as a successor is appointed. (Commission District 2.)
- 15-0574** **5F6** Approve, on the recommendation of the Chair, the appointment of Brad Stanley to the Washoe County Board of Adjustment representing Commission District 2 to fill a term beginning on July 14, 2015, and ending on June 30, 2019, or until such time as a successor is appointed. (Commission District 2.)
- 15-0575** **5F7** Adopt a Resolution of Intent to Lease a portion of 855 Alder Avenue, Incline Village, Nevada, to the United States Department of Agriculture, Forest Service, for a 60-month term commencing retroactively to July 1, 2015 through June 30, 2020, for space within the Incline Service Center; and if adopted, set a public hearing on the matter for July 28, 2015. (Commission District 1.)
- 15-0576** **5F8** Approve a sponsorship of the Barracuda Championship which will be held at Montreux Golf and Country Club in Reno, Nevada, August 3 - 9 , 2015; and if approved, authorize the Community Services Department Director to sign the Agreement for Sponsorship Services between Washoe County and the Reno-Fahoe Open Foundation [\$10,000]. (Commission District 2.)
- 15-0577** **5G1** Acknowledge the acceptance of a grant award from the Doors to Recovery to the Second Judicial District Court's, Youth Offender Drug Court Program in the amount of [\$5,000, no match required] retroactive to July 1, 2015, for the period July 1, 2015 to June 30, 2016, and direct Comptroller's Office to make the necessary budget adjustments. (All Commission Districts.)
- 15-0578** **5G2** Acknowledge grant award of [\$50,000, no County match required], effective April 1, 2015 until expended, from the Washoe County Bar Association to the Second Judicial District Court for technological enhancements to nine (9)

courtrooms located at 75 Court Street, Reno, Nevada, and direct Comptroller's Office to make the necessary budget adjustments. (All Commission Districts.)

- 15-0579** 5G3 Approve the Professional Services Agreements for Family Drug/Alcohol Rehabilitation Services for Family Drug Court between the 2nd Judicial District Court and Washoe County Department of Social Services and Bristlecone Family Resources in the amount of [\$60,181] and between the 2nd Judicial District Court and Washoe County Department of Social Services and Step 2 in the amount of [\$60,181], retroactive to July 1, 2015, for the period July 1, 2015 through June 30, 2016. District Court/Social Services. (All Commission Districts.)
- 15-0580** 5H1 Approve and execute the Resolution levying tax rates for all Washoe County entities for the 2015-2016 fiscal year. (All Commission Districts.)
- 15-0581** 5H2 Approve Washoe County's Debt Management Policy as of June 30, 2015. (All Commission Districts.)
- 15-0582** 5H3 Approve a 2014 Supplemental Emergency Management Performance Grant (EMPG) from the State of Nevada, Division of Emergency Management for [\$10,148; requires a \$10,148 match], retroactive for the period of June 8, 2015 through August 31, 2015; and direct Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)
- 15-0583** 5H4 Accept a 2015 Nevada State Emergency Response Commission, Hazardous Materials Emergency Preparedness Training grant for [\$2,854, no County match required], retroactive for the period of June 4, 2015 through September 30, 2015 and if accepted, authorize Chairman to execute a Resolution to subgrant funds to other governments which make up the Local Emergency Planning Committee as follows: [\$2,854] to the North Lake Tahoe Fire Protection District, and authorize the County Manager, or his designee, to sign a subgrant contract with the Local Emergency Planning Committee member; and direct the Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)
- 15-0584** 5I1 Authorize Non-County Employee Travel Expenses [approximately \$2,000] for the performance of two external audits of the DNA Casework Laboratory and the DNA Databasing Laboratory at the Washoe County Sheriff's Office Forensic Science Division on October 19th and 20th 2015. Travel expenses are being requested for three employees from the Las Vegas Metropolitan Police Department (LVMPD). If approved, direct Comptroller's Office to make the necessary budget adjustments. (All Commission Districts.)
- 15-0585** 5I2 Approve the Forensic Support Services Agreements between Washoe County on behalf of Washoe County Sheriff's Office and various Local Law Enforcement Agencies: Humboldt Co SO [\$25,359]; State of Nevada, Inspector General's Office [\$8,571]; Fallon PD [\$25,953]; Storey Co SO [\$22,095]; for Forensic

Laboratory Analysis Service fees for the retroactive term of July 1, 2015 to June 30, 2016 with an income of [\$81,978]. (All Commission Districts.)

- 15-0586** 5I3 Approve Law Enforcement Funding Agreement between Black Rock City LLC and Washoe County, on behalf of the Washoe County Sheriff's Office to provide reimbursement for extra staffing [\$105,000 estimated total reimbursement] needed in the Gerlach/Empire area during the annual Burning Man Festival for 2015. (Commission District 5.)
- 15-0587** 5J1 Approve request to [increase petty cash fund from \$200 to \$2,000] for the Public Administrator; and, if approved, authorize Chairman to execute Resolution for same. (All Commission Districts.)
- 15-0588** 5J2 Approve a two hundred dollar [\$200] change fund, to enable Washoe County Regional Animal Services to accept cash payments at the Low Cost Vaccination Clinics; and if approved, authorize the Chairman to execute Resolution for same. (All Commission Districts.)
- 15-0589** 5J3 Approve the Washoe County Sheriff's Office Detective Division investigations petty cash fund, established for investigative expenses for the Washoe County Sheriff's Office Detective Division as required by WCC 15.200, in the amount of [\$5,000], and if approved, authorize the Chairman to execute Resolution for same. (All Commission Districts.)

Commissioner Jung wanted to bring attention to Agenda Item 5D. This was a great opportunity and she felt fortunate to have the Business Development Director from the Economic Development Authority of Western Nevada (EDAWN), Nancy McCormick, and Director of Library Services Arnie Maurins present. EDAWN and the Governor's Office of Economic Development donated \$15,000 to the library which allowed staff to attend a two-day training. She thanked EDAWN, the Governor's Office, and the librarians who stepped up during the recession to help many people write resumes and search for employment.

Sam Dehne, spoke of Tesla and Burning Man. He thought Burning Man should move to a different location.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, with Commissioner Herman and Commissioner Lucey absent, it was ordered that the Consent Agenda Items 5A through 5J3 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 5A through 5J3 are attached hereto and made a part of the minutes thereof.

BLOCK VOTE – AGENDA ITEMS 8, and 10 THROUGH 18

- 15-0590** AGENDA ITEM 8 Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Huffaker Hills Effluent Storage Reservoir – Phase 2 Liner Expansion Project, [staff recommends A&K

Earth Movers, Inc. in the amount of \$4,060,000]. Community Services. (Commission District 2.)

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, with Commissioner Herman and Commissioner Lucey absent, it was ordered that Agenda Item 8 be awarded and approved.

There was no public comment on this item.

15-0591 **AGENDA ITEM 10** Recommendation to approve the settlement of the claims by Rachael Elainehope Brimhall, on behalf of herself and as guardian of her minor child, Madyson Scott; and Heidi Lynn Dutchover against Washoe County et al, for a [total sum of \$168,500] for all claims against all defendants, with funding from the Risk Management fund. Comptroller. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, with Commissioner Herman and Commissioner Lucey absent, it was ordered that Agenda Item 10 be approved.

There was no public comment on this item.

15-0592 **AGENDA ITEM 11** Recommendation to approve the Professional Services Agreement for Drug Testing Services for Specialty Courts Division between the District Court, Washoe County, and Case Management Services (CMS), in the amount of [\$128,412, plus actual cost of tests administered], retroactive to July 1, 2015, for the period July 1, 2015 through June 30, 2016. The total cost of the Agreement may [not exceed \$248,412]. District Court. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, with Commissioner Herman and Commissioner Lucey absent, it was ordered that Agenda Item 11 be approved.

There was no public comment on this item.

15-0593 **AGENDA ITEM 12** Recommendation to approve the Professional Services Agreement for Adult Drug Court Services Between Washoe County, the 2nd Judicial District Court, and the Washoe County Dept. of Social Services, and Bristlecone Family Resources in the amount of [\$445,732], retroactive to July 1, 2015, for the period July 1, 2015 through June 30, 2016. District Court/Social Services. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, with Commissioner Herman and Commissioner Lucey absent, it was ordered that Agenda Item 12 be approved.

There was no public comment on this item.

- 15-0594** **AGENDA ITEM 13** Recommendation to accept grant awards from the Nevada Aging and Disability Services Division for the following Older Americans Act Title III Programs: Adult Day Care [\$62,924 match of \$11,106 from ad valorem tax], Representative Payee [\$31,218 match of \$5,510 from ad valorem tax] and Homemaker Services [\$72,000 match of \$12,707 from ad valorem tax]; and the following State of Nevada Independent Living Programs: Case Management [\$156,249 match of \$23,437 from ad valorem tax], retroactive from July 1, 2015 through June 30, 2016; and direct the Comptroller to make the appropriate budget adjustments. Senior Services. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, with Commissioner Herman and Commissioner Lucey absent, it was ordered that Agenda Item 13 be accepted and directed.

There was no public comment on this item.

- 15-0595** **AGENDA ITEM 14** Recommendation to award Request for Proposal (RFP) No. 2929-15 for Medical Services-Sheriff's Office Personnel to ARC Health and Wellness Centers, 2205 Glendale Avenue, Sparks, NV 89431, in the [estimated annual amount of \$135,194.32], on behalf of the Washoe County Sheriff's Office; and authorize the Purchasing and Contracts Manager to execute a two year agreement, 7/15/15 through 7/14/17, with the option to renew for one (1) additional one (1) year period at the sole discretion of the County. Sheriff. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, with Commissioner Herman and Commissioner Lucey absent, it was ordered that Agenda Item 14 be awarded.

There was no public comment on this item.

- 15-0596** **AGENDA ITEM 15** Recommendation to approve the Interlocal Agreement between Washoe County on behalf of the Washoe County Sheriff's Office and the North Lake Tahoe Fire Protection District for dispatch and communication services in the amount of [\$300,000] for the retroactive period of June 30, 2015 to June 30, 2016 with an automatic one (1) year extension. Sheriff. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, with Commissioner Herman and Commissioner Lucey absent, it was ordered that Agenda Item 15 be approved. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

There was no public comment on this item.

15-0597 **AGENDA ITEM 16** Recommendation to authorize the Department of Social Services to expend [up to \$280,674] in FY16 from Children’s Services Account 710712 Family Preservation to expeditiously benefit children and families who are clients of the Department to promote keeping families intact. These expenditures shall include the use of special purchase orders, purchase orders, procards and gift cards to purchase specific items, support services, food to include Thanksgiving and Christmas food, and gifts as well as Adoption Day activities and expenses. Social Services. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, with Commissioner Herman and Commissioner Lucey absent, it was ordered that Agenda Item 16 be authorized.

There was no public comment on this item.

15-0598 **AGENDA ITEM 17** Recommendation to approve an Interlocal Contract Between Public Agencies (Nevada Department of Health and Human Services Division of Health Care Financing and Policy and Washoe County) in an [annual amount of \$1.5 million] for the period retroactive from July 1, 2015 through June 30, 2017 for the Disproportionate Share Program (DSH). Social Services. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, with Commissioner Herman and Commissioner Lucey absent, it was ordered that Agenda Item 17 be approved. The Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

There was no public comment on this item.

15-0599 **AGENDA ITEM 18** Recommendation to approve acceptance of Specialized Foster Care Room and Board Funding from the Department of Health and Human Services – Juvenile Justice Programs Office in the amount of [\$350,714.58, no match required] to provide treatment and programming to youth referred to the Washoe County Department of Juvenile Services; the grant award period is retroactive 7/1/15-6/30/16, and if approved, direct the Comptroller’s Office to make the necessary budget adjustments. Juvenile Services. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, with Commissioner Herman and Commissioner Lucey absent, it was ordered that Agenda Item 18 be approved and directed.

There was no public comment on this item.

15-0600 **AGENDA ITEM 6** Appearance: Elaine Wiseman, City of Reno Community Development, Management Analyst, Kevin Schiller, Washoe County, Assistant County Manager. Presentation regarding Community Assistance Center including an overview of services provided and possible direction to staff. (All Commission Districts.) Requested by Commissioner Jung

Assistant County Manager Kevin Schiller presented an overview of the Community Assistance Center. Mr. Schiller stated there were many areas of services available through the Assistance Center including shelters to house the indigent population; the triage center, which served to offset emergency room visits; Good Sheppard's Clothes Closet that assisted with clothing; the Hawk Outreach Medical Clinic for minor injuries; and Project Re Start Inc., which had a resource center equipped with computers. He noted there were also five full-time employees provided by Social Services who assisted with case management at the Center. He said one of the goals was to determine the degrees of independence for the people coming into the shelter. He noted, as of 2007, the County and Cities established an Interlocal Agreement and currently, at the County level, it was funded with \$1.2 to \$1.3 million per year. He also said Washoe County School District was currently onsite with their reengagement center although their funds would run out and they would have to leave as of September 30th. He stated one of the focus areas in the program structure was the system of care. Dating back to 2007, the shelter's services consisted of cash assistance and medical assistance. He said work continued with the City of Reno to expand capacity. He talked about an issue regarding the overflow shelter in winter time and said in the past few years, it had become apparent there was also a need to protect the indigent population from heat in the summer time. He stated the funding for the winter overflow shelter was approved for \$90,000 but there was a need to review the necessary capacity for both seasons. He stated the 4th Street corridor was being reviewed for options that could possibly include relocating the men's shelter to an alternate location to lessen the impact in the area. He wanted the research for alternative locations to continue. He said it was exciting to meet the needs of this population and to review capacity issues since the services for the indigent population had quadrupled. He commented that although the indigent services had increased, it was not enough and there was a need to figure out how to become more efficient.

Elaine Wiseman, City of Reno Community Development Department, stated over the past several years the City had been collaborating with the County and she appreciated the support. She noted that the in-kind contributions had almost doubled for case management at the shelter which had brought the ratio of case management down from 1-50 to 1-30 and the level of service had gone up which resulted in better exit outcomes. She commented that the City had gotten involved with the clean-up of the shelter campus and enforcement of the existing rules which brought the calls for service in the area down. She reiterated the importance of the overflow shelter that Mr. Schiller spoke about. She commented that last year the City of Reno spent over \$178,000 on the overflow shelter, which was beyond the regular contribution for shelter services.

Commissioner Hartung remarked that Crossroads was successful with getting the indigent population out of the system and on a productive path. He wanted to see some of the successes regarding "Nevada's Working Capital Project" and to see how we demonstrated to the community that help was given to the indigent people. He thought by articulating the successes,

there might be more assistance coming from the community, especially from some of the businesses. He told a story of a businessman that only hired convicted felons and how one of the employees had worked for him for 17 years. He boasted about how the businessman had saved the felons life by giving him a purpose to live, which kept him from going back to jail.

Commissioner Jung inquired about who owned the property on Record Street and Ms. Wiseman answered the City of Reno did. Commissioner Jung asked what the projected longevity of the building was. Ms. Wiseman stated she did not know the answer but the original thought was to transition it to a non-profit or other agency to be operated. Since that had not happened yet it continued to be operated by a transitional governing board. Commissioner Jung wondered if the City of Reno had thought perhaps the shelter was not in the best location and if there were other locations already owned by the City or County that would suit the needs better. County vehicles could be used to transport people if needed but she did not think the mobility of the homeless population was an issue since the people were connected to each other and shared resources. She wanted the discussion about location to come back to the Board possibly at a concurrent meeting. Mr. Schiller stated the 4th Street location could become an administrative complex.

Commissioner Jung wondered if the City of Sparks contributed any money towards the overflow shelter. Ms. Wiseman stated they contributed \$100,000 to the shelter's general fund, but did not contribute to the shelter overflow fund. She added that the County contributed an extra \$48,000 for the overflow shelter. Commissioner Jung commented the Cities and the County had a fiscal responsibility to the indigent population in the community.

Commissioner Jung stated she heard the Washoe County School District was losing their funding and moving out. Ms. Wiseman answered the Reengagement Program, which was a grant funded program designed to reengage families who were experiencing homelessness or poverty, would be losing their funding. She noted the grant also funded the Children in Transition Program, which was housed in the same location. The loss of both of the programs would be significant to the Center and it would cost \$12,000 per year to continue the programs. Commissioner Jung asked John Slaughter to contact the School Board to see if they could fund the programs and said if not, possibly the County could fund them.

Commissioner Jung inquired if the residents of the shelter were being engaged to work as volunteers so that could be listed on their resumes to show they had been supervised and had experience. Ms. Wiseman answered there was not a structured program for that in place, but the Reno City Council recently approved a Reno Works program which related to building a work force. She shared that this was an intensive work pilot program that allowed approximately 20 shelter residents to work three days a week to clean along the river and other City of Reno projects. She said they had lead staff that served as a job coach and mentor and the residents were paid daily for their work. She stated the other two days per week the workers were building resumes and job searching with the staff. There was \$110,000 allocated for the project. Commissioner Jung asked Mr. Schiller if the County could partner with them or even possibly start a Washoe County Works and a Sparks Works program. Mr. Schiller stated that the program was similar to Crossroads. Commissioner Jung wanted to clarify that Crossroads was a step up from the general shelter and Mr. Schiller confirmed it was. He stated there were different levels

of independence and getting into the Crossroads program was the entry point. He spoke about one Crossroads client who went through the program and got a job in Elko. He sent a letter stating that the program had saved his life.

Commissioner Jung wondered what gaps could be identified in the Center. Ms. Wiseman stated that mental health services was an issue, but the biggest gap would be losing the Children in Transition program since that would vacate child care and early intervention for the children in the family shelter. Commissioner Jung stated she wanted to see what the best practice ratio of Social Worker to clients was for a government of our size.

Chair Berkbigler thanked Mr. Schiller and Ms. Wiseman for providing the in-depth report. She asked John Slaughter, County Manager, to initiate talks with the City regarding the current structure of the homeless facility to ensure the best work was being done in the community for the indigent population.

There was no action or public comment on this item.

15-0601 **AGENDA ITEM 9** Recommendation to acknowledge status report on award of Washoe County RFP 2901-14 for Office Supplies and Office Consumables to It's My Community Store and possible direction to staff regarding administration of the office supply and office consumables agreement. Comptroller. (All Commission Districts.)

Michael Sullens, Purchasing and Contracts Manager, stated Chair Berkbigler requested a status report on the County's office supply contract with It's My Community Store (IMCS). On October 14, 2014 the Board ordered a Request for Proposals (RFP) for office supplies and office consumables from IMCS. The award was not made on the basis they were the lowest bidder, but because they were a local, emerging small business that offered competitive pricing, and had a unique program, which donated 2 to 8 percent of their gross proceeds to charities of the County's choosing. An agreement commenced in November and had been active for the past seven months. He said the services performed had been satisfactory and charitable donation accruals had averaged 4 percent through March 2015. The agreement with IMCS was for one year, with two one-year renewable options. It was anticipated that an agenda item would be brought to the Board in October regarding contract renewal. The contract with IMCS, as well as contracts with the County in the past, was non-exclusive. He noted departments could make purchases from alternative sources when the department(s) determined it was beneficial or expedient.

Commissioner Jung asked Mr. Sullens how a contract could be made exclusive. Mr. Sullens answered the County would bid the contract as exclusive or indicate in a RFP it was exclusive, which would allow the vendors to offer better pricing. Commissioner Jung asked why the County had never been offered the ability to do a RFP for an exclusive contract. Mr. Sullens stated the County had the ability to do that, but he would not recommend it. He explained the prices of office supplies varied from vendor to vendor, and the downside to an exclusive contract would be locking the County into making all purchases from one vendor when the County might be able to get a better price from another vendor. Commissioner Jung asked Mr. Sullens if there

was data available, which detailed the benefits and drawbacks of exclusive and non-exclusive contracts. She wanted to know the best practices and how the Purchasing Department would protect the County. She suggested doing a one-year exclusive contract and then comparing it to the previous non-exclusive contract. She noted Mr. Sullens' report stated several departments indicated they were now using their Procurement card (P-Card) for office supply purchases with IMCS in lieu of blanket purchase orders, but preferred to keep their blanket purchase orders with the previous vendor in place until they expired. She asked if this was contrary to the Board's policy in regards to directing staff to utilize IMCS. Mr. Sullens stated he did not think the Board directed all blanket purchase orders be cancelled, and clarified the report was in regards to existing purchase orders. Commissioner Jung stated it appeared some staff were slow or reluctant to switch suppliers mid-year. Mr. Sullens added that departments were made aware of the new contract, but some departments had not quickly switched. He stated there was no edict which instructed the departments to stop buying from other vendors. Commissioner Jung stated the Board needed more data and more facts to explain why staff hesitated to follow the policy, and why there were no exclusive contracts. She suggested a future agenda item to consider forming a contract evaluation committee; made up of experts in the purchasing and contracts field, which would look at all contracts and identify where the County might not be doing the best it could with tax dollars. She stated the contract evaluation committee should take into consideration the number one value for the County was economic development. She said the County should create a score card and give extra points for local businesses. She declared she was tired of sending the County's money to corporations in another state because those corporations would pay taxes to the state they were in. She stated this was her direction to staff and she also wanted answers on how the policy was transmitted to staff and enforced.

Chair Berkbigler agreed with Commissioner Jung and stated she believed the Board unanimously voted to support IMCS, so the report which indicated some staff decided not to follow the Board's direction was concerning to her. She stated the clear direction from the Board was to utilize a local business. She supported Commissioner Jung's request for additional information and an explanation as to why some departments did not follow the Board's direction. She questioned why a purchasing contract for a local provider would be brought before the Board for approval if staff was going to do what they wanted.

Mr. Slaughter added the vendor, IMCS, was present, and he mentioned the policy to utilize IMCS was communicated to departments by the County since day one. He confirmed the information requested by the Board would be obtained to provide a total picture on what had happened. Chair Berkbigler thanked the Mr. Slaughter and Mr. Sullens.

Jennifer Rose, CEO and founder of IMCS, stated she was grateful for the opportunity to become the primary office supply vendor to the County, and was particularly thankful to the Board for recognizing the importance of locally owned businesses. She said since winning the County's contract, IMCS moved into a larger warehouse space and added new employees, none of which were paid minimum wage; and all of them received health insurance and benefits. They added partnerships with several other locally owned businesses that had "give-back" programs similar to IMCS's program, which increased their revenues.

Ms. Rose noted the County's purchases amounted to approximately \$156,700, and the completion of an internal audit resulted in credits of \$448 due to overcharges on some invoices. She stated IMCS saved the County \$15,541. She stated IMCS would begin doing audits quarterly and mentioned credits would never be eliminated due to price changes by manufacturers or due to update delays in their system. Credits would automatically be issued when there were overcharges. She noted IMCS passed down savings even though they were not contractually obligated to do so. She stated when Hewlett Packard announced a nationwide price increase. IMCS was able to obtain price protection for the County. She reported donations during the pro-rated fourth quarter of 2014 equaled \$931; donations rose to \$2,053 in the first quarter of 2015, and rose to \$2,255 in the second quarter. She pointed out the amount of the donations was based on the fact IMCS was only receiving half of the County's business.

Ms. Rose stated she received phone calls from people who received grants that mandated they spend their grant money with a woman-owned business and IMCS had received that designation. She mentioned the "saver" category provided a group of products where someone could easily find who the low-price leader was by typing the word "saver" before the item name on the website's search engine. She stated they were expanding the "saver" category service as they continued to find new low-price leaders. IMCS moved up tiers in some items; such as copy paper, which was the County's largest percentage of purchase. Rather than keeping the profits for themselves, they were able to pass the savings on to the County by reducing the copy paper pricing.

Ms. Rose stated IMCS became large enough to offer the County a furniture direct program, which allowed for furniture to be sent directly from the manufacturer to the County if a department was able to wait five to seven days. The direct shipment to the County allowed IMCS to receive a 5 to 7 percent discount, which was then passed onto the County. There had been many upgrades to IMCS's website due to complaints regarding the absence of certain products that had previously been available. The requested items had been added in addition to a shopping list, a specific reference section, advanced search options, and the "saver" category. Many cost analyses for departments had been performed and IMCS's overall prices were found to be lower. She mentioned some departments had the perception their prices were higher, but later found out the person doing the search was not logged in to the website while doing the comparisons.

Ms. Rose concluded by summarizing how IMCS had provided many cost-saving and time-saving features, which saved the County money through efficiencies. She stated they would continue to ensure the County's pricing remained competitive, their service levels would remain excellent, and random and unfounded price changes would not occur.

Chair Berkgigler thanked Ms. Rose for her presentation and for the service she had provided to the community.

Commissioner Jung commended Ms. Rose for a great presentation. She directed Mr. Slaughter to inform departments, which qualified for federal grants that required them to purchase from a woman-owned or small business about IMCS in one of his manager updates. She asked whether there should be a policy to require an individual who was spending tax dollars to purchase the cheapest option available. She had not understood why there were options when

it was about tax dollars and stated the fiduciary responsibility of the County was to the tax payers. She thought the County needed to have another policy discussion and implement standard operating procedures to require departments that did not want to buy the cheapest items to obtain the County Manager's approval. She expressed her frustrations about staff who were not following the Board's directive in regards to purchasing.

Chair Berkbigler added it was important for County employees to understand not only were they receiving fair pricing, but purchasing through IMCS gave back to the community.

Commissioner Hartung commented the County should look at quality versus price when debating which items to purchase. He gave the example of cheap post-it notes that did not stick. He concurred with the Board that Ms. Rose provided the County with a great service and said he would much rather do business with someone locally. He mentioned he received emails from some large chains inquiring why the County was no longer doing business with them and he had no issue telling them that he would rather do business with someone local. Impressed by IMCS's policy of providing benefits to all their employees', he challenged other companies to put forth the same assertion that all their employees had benefits.

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried with Commissioners Herman and Lucey absent, it was ordered that Agenda Item 9 be acknowledged and for the County Manager to follow through with the Board's directions.

15-0602 **AGENDA ITEM 19** Update on medical marijuana establishments in the State of Nevada and Washoe County and possible action and direction to staff on allocation of a sixth medical marijuana dispensary pursuant to NRS 453A including determination of a process to select a state qualified dispensary applicant; determination of an approval process for location changes requested by existing medical marijuana dispensaries pursuant to NRS 453A; and direction to staff on other matters pertinent to medical marijuana establishments in Washoe County. Manager. (All Commission Districts.)

Kevin Schiller, Assistant County Manager, stated the primary focus of his report was the legislative impacts on medical marijuana establishments (MMEs). He provided the following count for the County based on facility type: 12 cultivation facility certificates with four applications in pending status, five dispensary certificates with five applications in pending status, and seven Production of Edible Marijuana Products or Marijuana-Infused Products certificates with three applications in pending status at the time the report was drafted. He said during the 2015 Legislative Session the key bill the County focused on and lobbied for was Senate Bill 276 (SB276). He mentioned SB276 established a process for the transfer of certificates from one dispensary to another with State approval and highlighted specific areas which had a more immediate impact to the County.

Mr. Schiller stated the current regulation only allowed for an MME to move within a five mile radius. If the MME moved outside the five mile radius it would lose its certificate. SB276 allowed an MME to move to a new location under the jurisdiction of the same local government as its original location regardless of the distance from the original location if the operation of the MME at the new location had been approved by the local government. A local government could approve a new location pursuant to NRS 453A only in a public hearing for which written notice was given at least seven working days before the hearing. Mr. Schiller stated the Attorney General's opinion was that although there was a July 1st implementation date for the new law, the process by which the Board could approve a move beyond the five mile radius would not be effective until October 1st due to the regulatory process. He said the key tenant of SB276 was to establish a process by which the Board would approve the moves. He recommended the Board establish a process pursuant to Code, local ordinances and zoning requirements. By basing moves on Code requirements, the Board could instruct staff to create a more restrictive Code regarding location, which would be applied to all future MME moves.

Mr. Schiller explained SB276 awarded an additional allocation for a sixth dispensary to the County and allowed for the implementation of an MME selection process based on utilization of the ranking standard. Alternatively the Board could identify an approach to review applicants outside the rankings. He provided two options on his report. The first option stated the Board could utilize the existing applicant ranking provided by the State of Nevada to select the next highest qualified applicant pursuant to the previously established State review and scoring criteria. The second option would allow the Board to establish an alternative selection process using the current qualified applicant list based on certain criteria. He stated he would continue to provide monthly updates to the Board as the process continued to evolve.

Commissioner Jung thanked Mr. Schiller for his presentation and inquired about the process related to building permits. She gave the example of a person in Washoe Valley with a cultivation facility that could not also be utilized for an office. Mr. Schiller was unable to provide a response and sought clarification from Commissioner Jung regarding her question. Commissioner Jung requested Mr. Schiller speak to the aforementioned individual, Mr. Martinez and his representative.

Commissioner Jung asked Mr. Schiller if the five pending dispensaries had a deadline in which they must be dispensing, what would happen if they did not open by the deadline, what would happen if an MME certificate holder decided not to pursue opening a dispensary, and why there was a limit to the number of dispensaries that could be opened. Mr. Schiller replied the deadline to commence business was 18 months from November 2014, when they were awarded the certificates; if they were not opened the State would review their progress and make a determination at that time. He said unused certificates would be reallocated by the State. Due to the passage of SB276, Commissioner Jung asked Mr. Schiller if he knew the percentage increase of medical marijuana card holders. Mr. Schiller stated he believed it was not significant and his next report would focus on the bills that had more of a relationship to card holder activity.

Commissioner Hartung requested Mr. Schiller to elaborate on the transfer of certificates. Mr. Schiller stated SB276 established a regulated process by which an existing

certificate holder would be able to transfer ownership of the certificate to another qualified applicant. Commissioner Hartung asked if this process would be similar to the transfer of gaming licenses to which Mr. Schiller replied he believed regulations would define the process.

Chair Berkbigler wanted clarification on NRS453A(Section 5)(4)(c) on page 4 of Mr. Schiller's report in relation to the Board's ability to determine how many facilities it had in any given community. Mr. Schiller stated he would need to research the issue, but could return to the Board with a legal interpretation of the law. Chair Berkbigler expressed concerns about the law's effective date of October 1st because investments were already being made in a community where the facilities were unwanted. Mr. Schiller agreed there were some issues with the date, but he thought it related to a regulatory scheme that was being drafted. He concurred there were some issues related to moving the MME facilities, but reminded the Chair that the intent of the legislation was enabling and not mandatory. Chair Berkbigler noted there were four applications for growth facilities that were in pending status and asked if any of those facilities had opened yet. Mr. Schiller confirmed none of them had opened to date. Chair Berkbigler wondered if the Board would regulate the transfer of certificates and asked what the policy would be if someone wanted to transfer a certificate to someone not on the approved list. Mr. Schiller stated based on his interpretation related to SB276 and two other bills that had significant impact, staff would work on the Code draft to determine where it applied, and where the County had jurisdiction. He mentioned the regulatory process at the State level could take some time, but staff would not wait to start drafting a Code they believed would match the law. Related to the ability for MMEs to relocate beyond the five mile radius, Chair Berkbigler asked for clarification on the language which said a local government may approve a new location in a public hearing. She asked if, based on existing language, there was anything requiring the Board to have public hearing until the law went into effect on October 1st. Mr. Schiller stated the Board could establish a process for the approval of a move before October 1st. He stated the Board could instruct staff to formulate a more restrictive Code and the Board could direct a public process by which allocations could be approved.

Chair Berkbigler mentioned a televised news piece she saw regarding a marijuana facility in Sparks and she wanted clarification as to why the facility could not open. She believed it had to do with pesticides in marijuana plants. John Slaughter, County Manager, stated there were some new regulations related to marijuana products and the delay for the particular dispensary was due to the wait for the list of approved pesticides from the Nevada Department of Agriculture. Chair Berkbigler commented how it would not impact the County since none of the County's dispensaries were ready to be opened and by the time they were the State should have released the list.

Chair Berkbigler stated she had concerns about changing the County's process and her preference would be to choose option one from Mr. Schiller's report, which indicated the Board would choose the next approved medical marijuana business on the list provided by the State. She felt option one would avoid possible litigation.

Chair Berkbigler moved to approve option one. Commissioner Jung seconded the motion.

Chair Berkgigler stated the Board provided staff with direction in regards to regulations they wanted staff to look at and he asked if staff needed those directions restated in the motion. Mr. Schiller replied that the direction specific to the passage of the legislation in relationship to Code should be stated in the motion. He mentioned if the Board wanted an evaluation regarding the creation of more restrictive Code requirements, the Board could choose to give that direction. Commissioner Jung mentioned the Board's marching orders were to collect as much revenue as the County possibly could from all three types of marijuana businesses. She wanted staff to proceed and if staff saw something the Board could do, to bring it before the Board.

Chair Berkgigler amended the motion to include the approval or disapproval of a request would be made in accordance with established regulatory requirements, and direction to staff to create an Ordinance that specifically limited the number of marijuana facilities in any given community and research zoning regulations and statutes tied to the approval process of moving a facility. The seconder agreed.

On the call for public comment, Ms. Susan Morrison stated she came forward to represent the larger community in response to the MMEs located near residential areas. She supported applying more restrictive zoning codes. She stated the community looked to empower the County to strike the appropriate balance between the community's needs and the MME business's needs. She submitted a letter from several local physicians expressing their concerns about the location of MMEs near schools, which documented the negative impact of marijuana use on teens and adolescents. The letter was placed on file with the Clerk.

Commissioner Jung asked Mr. Schiller if the County had the ability to identify, which residents had medical marijuana cards in the county without breaking the Health Insurance Portability and Accountability Act (HIPAA) laws to determine which dispensaries would be most utilized. Mr. Schiller stated he would follow up and bring back to the Board what he could.

On the call for the question, the motion passed on a vote of 3 to 0, with Commissioners Herman and Lucey absent.

12:11 p.m. The Board recessed.

12:18 p.m. The Board reconvened with Commissioners Herman and Lucey absent.

15:0603 **AGENDA ITEM 20** Update and acknowledgment of Washoe County FY16-18 Strategic Plan, including mission, values and direction, strategic objectives and fiscal year 2015-16 goals and initiatives [no fiscal impact]. Manager. (All Commission Districts.)

Al Rogers, Management Services Director, conducted a PowerPoint presentation, which was placed on file with the Clerk. He thanked the Board for initiating the Strategic Plan and stated the County's focus on sustainability was key. The presentation highlighted the following topics: Planning Process Overview, Executing and Rolling Out the Plan, Summary of

Major Initiatives, Managing Performance and Reporting, Executive Summary One-Sheet, and the Wall and Window Art. While speaking on the Planning Process Overview, he stated, since he last spoke to the Board on April 14th, the County had entered Phase 4 of the Strategic Plan. During his presentation on the Managing Performance and Reporting topic he elaborated on the Performance Dashboard, which captured each of the Fiscal Year 2016 (FY16) goals. He stated this was a tool to be used internally to capture the progress on each of the goals and initiatives. The Performance Dashboard provided a transparency aspect for the community and employees to see how the County was doing in terms of achieving its goals and how the County was moving forward. He noted there would also be external communication to deliver the Strategic Plan to various community groups. The presentation concluded with a short video which provided an overview of the County's Strategic Plan. Mr. Rogers added there would be a new screen saver, which would highlight the County's values, strategic objectives, and FY 16 goals. He thanked Nancy Leuenhagen, Communications and Engagement Manager, and her team for creating the presentation. Lastly, he mentioned a webpage that would be the repository for all the strategic documents and communications.

Chair Berkbigler stated the video was well done and commended Mr. Rogers and his staff for their work.

Commissioner Jung thanked Mr. Rogers and stated she felt he was the perfect person for his position. She asked Mr. Rogers if the Commissioners were to meet monthly with his team regarding the management and execution of the Strategic Plan. He stated it was not required; the Commissioners were welcomed to sit in on meetings and he would be providing quarterly updates to the Board. Commissioner Jung stated she would like to attend those meetings and mentioned her appreciation for the quality of the video presentation. She inquired how the team leaders were selected. Mr. Rogers stated those selected had stepped up or had a close nexus to subject matter.

Commissioner Hartung stated the presentation was well done.

15-0604

AGENDA ITEM 21 Public Hearing and possible action 1) To consider an application by Southwest Gas Corporation for a non-exclusive franchise agreement to provide natural and other gas service to portions of Washoe County, including any objections on the matter; 2) If determined to be in the best interests of the residents of Washoe County, to approve a Franchise Agreement between Southwest Gas Corporation and the County of Washoe, retroactive to May 1, 2015, effective through April 30, 2040, fixing the terms and prescribing the conditions pursuant to which the franchise is to be granted, the character or kinds of service to be rendered, the maximum rates to be charged for the service, and such other matters as may be properly connected therewith; 3) If the Franchise Agreement is approved, to adopt a Resolution Authorizing and Approving the Issuance of a Non-Exclusive Franchise to Southwest Gas Corporation to Supply Natural Gas to Portions of Washoe County, Nevada; and if the Franchise Agreement is approved, to approve an associated Agreement to Pay Annually to Washoe County 2% of the franchisee's Net Profits under the

franchise for the Benefit of the County School District Fund of the Washoe County, State of Nevada. (All Commission Districts.)

Mr. Slaughter requested for the agenda item to be opened to public hearing and requested a continuance of this item for possible action within 30 days.

Chair Berkbigler opened the public hearing by calling on anyone wishing to speak for or against the application by Southwest Gas Corporation for a non-exclusive franchise agreement. There being no response, the hearing was closed.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioners Herman and Lucey absent, it was ordered that Agenda Item 21 be continued to the August 11th meeting.

15-0605 **AGENDA ITEM 24** Public Comment.

There was no public comment on this item.

15-0606 **AGENDA ITEM 22** Possible Closed Session for the purpose of discussing labor negotiations with Washoe County Truckee Meadows Fire Protection District and/or Sierra Fire Protection District per NRS 288.220.

12:34 p.m. On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioners Herman and Lucey absent, it was ordered that the meeting recess to a closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.

COMMUNICATIONS AND REPORTS

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

COMMUNICATIONS:

15-0607 Two (2) letters from the State of Nevada Department of Transportation, dated May 22, 2015, regarding the execution of Contract No. 3588 No. MS-0031(1111), For 5 schools in Washoe County – Off System: 1) Virginia Palmer Elementary School, Klondike & E. 9th; 2) Lemmon Valley Elementary School, Patrician Drive, Lemmon to Lemmon Valley Park; 3) Elizabeth Lenz Elementary School, Homeland and Edmands; 4) Nancy Gom, Washoe County, Contractor: Granite Construction Company.

FINAL BUDGETS

- 15-0608 City of Sparks 2015-2016 Final Budget.
- 15-0609 Redevelopment Agency of the City of Sparks, Area 1, 2015-2016 Final Budget.
- 15-0610 Redevelopment Agency of the City of Sparks, Area 2, 2015-2016 Final Budget.
- 15-0611 Regional Transportation Commission (RTC) final budget for fiscal year ending June 30, 2016.
- 15-0612 Western Regional Water Commission final budget for fiscal year ending June 30, 2016.
- 15-0613 South Truckee Meadows General Improvement District (STMGID) final budget for fiscal year ending June 30, 2016.
- 15-0614 Reno-Sparks Convention and Visitors Authority final budget for fiscal year ending June 30, 2016.
- 15-0615 North Lake Tahoe Fire Protection District final budget for fiscal year ending June 30, 2016.
- 15-0616 Sun Valley General Improvement District budget for fiscal year 2015-2016.
- 15-0617 Palomino Valley General Improvement District final budget for fiscal year 2015-2016.

Pending Board Approval

* * * * *

2:10 p.m. There being no further business to discuss, on motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried with Commissioners Herman and Lucey absent, the meeting was adjourned.

MARSHA BERKBIGLER, Chair
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Doni Gassaway and Michael Siva, Deputy County Clerks*

Pending Board Approval

**BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA**

TUESDAY

10:00 A.M.

JULY 21, 2015

PRESENT:

Marsha Berkgigler, Chair
Kitty Jung, Vice Chair
Vaughn Hartung, Commissioner
Jeanne Herman, Commissioner
Bob Lucey, Commissioner

Nancy Parent, County Clerk
Kevin Schiller, County Manager
David Watts-Vial, Legal Counsel

The Washoe County Board of Commissioners convened at 10:02 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

15-0620 AGENDA ITEM 3 Public Comment.

Garth Elliott supported comments made by Tom Noblett during the Truckee Meadows Fire Protection District agenda about unkempt properties in Sun Valley which posed fire hazards. He spoke of an experience 20 years ago when he was contacted by a fire department inspector about combustibles on his property and a possible fine.

Levi Hooper spoke about getting water to the homeless due to the high temperatures.

Sam Dehne spoke about the new Reno Police Chief and the local media.

Cathy Brandhorst spoke about matters of concern to herself.

15-0621 AGENDA ITEM 4 Presentation of Excellence in Public Service Certificates honoring the following Washoe County employees who have completed essential employee development courses--Human Resources.

Kevin Schiller, Assistant County Manager, recognized the following employees for successful completion of the Excellence in Public Service Certificate Programs administered by the Human Resources Department:

JULY 21, 2015

A-8/11/15

PAGE 1

#6A

Essentials of High Performing Teams

Don Thornberry, Technology Services

Promote Yourself! Mini Certificate Program

Jessica Cabrales, Health

Jennifer Kannisto, Sheriff

Deborah Wachtrup, Sheriff

Chair Berkbiger thanked the employees.

There was no public comment or action taken on this item.

DONATIONS – ITEMS 5A through 5B

- 15-0622** **5A** Accept donation of a 2015 Cargo Express trailer from Ms. Sally Skewis, [retail value of \$6,343.25] to the Washoe County Sheriff's Office, Hostage Negotiations Team to be used as a negotiating platform during protracted or weather sensitive incidents. Sheriff. (All Commission Districts.)

On behalf of the Board Commissioner Jung thanked Sally Skewis for the donation of the Cargo Express trailer.

Sally Skewis stated she joined the Washoe County Sheriff's Hostage Negotiating Team in 1998. Prior to having the trailer, she said she hid behind boulders, bushes, and under overpasses in all types of weather. She thanked the Board for accepting the trailer.

Chair Berkbiger thanked Sally Skewis for volunteerism and for her support to the community.

- 15-0623** **5B** Accept cash donations in the amount of \$1,765.50 for the period of June 1, 2015 through June 30, 2015 and direct the Comptroller's Office to make the appropriate budget adjustments. Social Services. (All Commission Districts.)

On behalf of the Board Commissioner Jung thanked the various donors for their cash donations.

There was no public comment on the donations listed above.

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Items 5A to 5B be accepted.

15-0624 **AGENDA ITEM 6** Appearance: Wendy Underhill, National Conference of State Legislatures and Luanne Cutler, Washoe County, Registrar of Voters. Presentation to be given by Wendy Underhill of the National Conference of State Legislatures (NCSL) regarding the status of elections and election equipment nationwide (All Commission Districts).

Chair Berkbigler thanked the following elected officials for their service to the County: State Senator Debbie Smith, Assemblywoman Amber Joiner, and State Senator Don Gustavson. During Chair Berkbigler's acknowledgment of Senator Smith, she stated Senator Smith had been very active in the National Conference of State Legislatures (NCSL) for many years and she had been a superb representative for northern Nevada. In regards to Assemblywoman Joiner, Chair Berkbigler stated the Board had nothing but positive reports on what she had done at the Legislature on behalf of the State and the County. In acknowledgment of Senator Gustavson, Chair Berkbigler stated he was an institution in northern Nevada and mentioned he had been extremely supportive of many great issues. Chair Berkbigler also thanked Assemblywoman Theresa Benitez-Thompson, who was not present, for her participation with NCSL.

Luanne Cutler, Registrar of Voters, stated she met Wendy Underhill in Carson City when Ms. Underhill appeared before the Nevada State Senate and Assembly. At the presentation in Carson City she heard the true concerns of election officials in the State, which was that they needed to plan for the future of voting equipment in Nevada. She said she hoped to ensure the County had a plan in regards to replacing voting equipment and wanted the County to be informed and aware of the issue.

Wendy Underhill, Program Manager for Elections with NCSL, thanked the Board for allowing her to conduct the presentation. She mentioned Senator Smith was the president of the NCSL and thanked her for the energy she provided. She began her PowerPoint presentation titled Elections Technology: A National Perspective, and noted the decision about the kind of equipment bought for elections was done at local level, but her presentation was based on a national overview. She provided a general summary of her presentation by stating how voting equipment was aging across the nation and needed to be replaced. She said there were new options available but no federal funding to assist in purchasing them. She gave a brief overview of NCSL by stating they were bipartisan, worked on behalf of legislators and legislative staff, and information regarding NCSL was primarily online but staff was always available to assist. She said NCSL created an election technology project, a two-year project funded by the MacArthur Foundation, after hearing from State election directors concerned about the type of equipment their citizens were going to be voting on in 2016 and beyond. With that information, NCSL went to the MacArthur Foundation to obtain funding, and then went to eight states to inquire about what they were doing in regards to election technology. NCSL found the Presidential Commission on Election Administration named election technology as a pending crisis. As NCSL visited various states, they visited offices to see what kind of equipment had been used and what they were thinking in relation to the future and funding. NCSL asked each state what mattered to them in terms of voting technology and

what they believed was a good system. The consensus was states wanted the following: a secured and reliable system, the voting equipment to count votes accurately, ease of use, the technology to be reasonable for the election officials and poll workers to utilize, and it to be accessible for people with disabilities. She said election technology had no political divide.

Ms. Underhill stated the NCSL noticed Clark County had a trailer where people could vote, which provided additional access to voting. NCSL found the things of interest in Nevada were electronic poll books, the concern about the connection between the motor vehicle agencies and the statewide voter registration database, and that voting equipment had to be replaced throughout Nevada. Election officials concerns included how that was going to happen, when was it going to happen and who was going to pay for it.

Ms. Underhill presented a slide and spoke about the following nine points: 1) Voting equipment was aging; 2) Legislators provided the framework for voting equipment; 3) Today's voting equipment was a hodgepodge; 4) Technology was not just for voting; 5) Hardware and software; 6) Was it secure?; 7) Internet voting was not secure, said most experts; 8) All election issues related to technology; and 9) The feds would not pay for new equipment; who would?

While speaking about aging voting equipment, Ms. Underhill gave the following examples: most jurisdictions bought their voting equipment in 2005 when people were still using flip phones; and voting equipment in Pennsylvania and New Jersey were purchased when President Clinton was in office. She mentioned technology was moving forward and stated there were two options for voting technology. The first option was a Direct Recording Electronic (DRE) Machine and the second was an Optical Scan Voting Machine. She stated most people chose the Optical Scan Voting Machine because it left a paper record; whereas, the DRE machines were only sometimes equipped with paper for a backup. She said most people liked machines they were familiar with.

Ms. Underhill stated legislators decided on voting equipment by setting certification requirements in Statute. She said there were federal voluntary guidelines provided by the United States Election Assistance Commission, which, until recently, had not been functioning. Those federal voluntary guidelines were set in 2007. She said, at some point, there would be conversation in Nevada as far as what standards the State would want in place.

Ms. Underhill displayed a map showing the various types of voting equipment being used across the country, and talked about how it could vary from jurisdiction to jurisdiction within a state.

Ms. Underhill pointed out technology was not just for voting. She mentioned electronic poll books, which replaced paper records that would have an image of a voter's signature. She said electronic poll books provided more accuracy and allowed poll workers to pull up the voter's information quicker. This technology provided

automatic voter registration updates on the spot. Another piece of technology was the ballot marking devices, which allowed voters to make selections on their own tablet or phone. The voter would be able to bring their tablet or phone to the polling station and print out their selections directly on a ballot, which would then be fed into an optical scan machine. The utilization of a tablet was not a concept being widely used, but it had been used in nursing homes due to the ease of use for people with dexterity issues.

Ms. Underhill spoke about hardware, programming and software. She gave the example of connecting the Department of Motor Vehicles (DMV) with the voter registration database. She mentioned states were particularly interested in how well systems would be integrated, if the record could move over instantaneously, and if the record would have to be printed out on paper at some point and then reentered. She stated these would entail a software fix if the states wanted to look into that. Online voter registration was primarily about software and Nevada already had it in place. She stated in 2002 the Help America Vote Act was enacted and it provided money to states to upgrade voting equipment. It also required states to have a statewide voter registration database. In the mid-2000s states upgraded their voting equipment and moved over to a statewide voter registration system. Ten years later, the equipment and databases were getting old. States may be looking at expenditures to bring their statewide voter databases back up to speed.

Ms. Underhill stated when the question of elections came up, the question was always whether the voting system was secure. One concern was physical security, which meant having locks on voting equipment so they could not be tampered with. Another concern was whether a system could be hacked.

Ms. Underhill discussed how the National Institute of Standards and Technology believed internet voting was not yet secure enough to do internet-based voting. She gave examples of online voting in Estonia which could not be compared to the United States, and online Major League Baseball All-Star voting which resulted in issues of ballot stuffing. She said online voting was not ready for primetime with one big exception, which was the electronic transmission of ballots. In Nevada, the State allowed overseas voters to request ballots electronically, print out their ballots to complete, scan their completed ballots, and then send their ballots in a portable document format (PDF) to their local jurisdiction. The PDF would then be recreated onto an official ballot at the Registrar of Voters office, so it could be read by the voting equipment. She stated the submission of ballots electronically was a policy choice for legislators to decide based on whether the security risk was appropriate.

Ms. Underhill noted every single issue which came before the NCSL had a technology component. Voting by mail required ballots to be fed into optical scan machines and the use of scanners to read driver licenses where voter identification was required involved technology. Another example she gave were vote centers. She described them as a big box voting places which anyone could go to. Vote centers required electronic poll books to be utilized to record when someone had already voted so

they could not vote again at another center. She closed this point by stating there was an overlap between technology and policy; as well as, technology and human beings, which had to be considered in conjunction with each other.

Ms. Underhill said no one expected the federal government to direct additional funding to support the next generation of voting equipment. There were two other options for funding which included obtaining funding from the State or from local jurisdictions. She stated the cost for new equipment was traditionally paid by local jurisdictions. She provided examples of state options: Arkansas had a revolving grant opportunity for its counties to obtain for upgrades; Colorado had a business filing fee through their Secretary of State's office, which loaned funds to counties; New Mexico had a revolving grant; Maryland decided what type of equipment would be purchased and split costs 50/50 with the counties; Georgia and Oklahoma ran elections at the state level.

In closing, Ms. Underhill mentioned election officials were smart with their money. She gave an example of a local election official in Minnesota utilizing the Boy Scouts of America to build a flag stand. She stated technological advances were coming. She said some states decided to rent voting equipment for the time being because there would be a broader selection of voting equipment in a few years.

Chair Berkbigler thanked Ms. Underhill for appearing and for her presentation.

Nancy Parent, County Clerk, stated she was provided hand-outs related to this item from the United States Election Assistance Commission titled Ten Things to Know About Selecting a Voting System, which she would distribute to the Board.

There was no public comment or action taken on this item.

15-0625 **AGENDA ITEM 7** Commissioners'/Manager's announcements

Mr. Schiller stated he had nothing to report.

Later this item was re-opened upon the request of Commissioner Hartung. He said staff would bring to the Board, at a future meeting, amendments to policies related to landscaping requirements for development agreements. He stated the Board would review those policies, and also review NRS 116.330 regarding homeowner association (HOA) requirements for landscaping and their inability to require drought tolerate landscaping.

Commissioner Jung added she would like staff to include in their staff report what their recommendations would be in regards to restrictions for new construction of water features, ponds and swimming pools for single-family residences in the unincorporated County. She announced she recently had the honor of representing the Board at the Eid Celebration, end of Ramadan, at the Northern Nevada Muslim Community Center.

There was no public comment on this item.

- 15-0626** **AGENDA ITEM 8** Approve minutes for the regular Board of County Commission meeting of June 23, 2015.

Ms. Parent stated during the July 14th meeting, John Slaughter, County Manager, made an announcement regarding a typographical error that had been included in the June 23rd meeting agenda related to the terms of office for the Wildlife Advisory Board. The expiration date of the terms was indicated as July 1, 2017, and should have been July 1, 2018. She stated she could not change what the Board did, but also did not want to leave the record as it existed with the incorrect date. She mentioned she distributed a revised Page 5 for the June 23rd minutes, which explained Mr. Slaughter's announcement. She requested the Board approve the revised Page 5, along with the approval of the minutes, to ensure the record was clear.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 8 be approved as amended.

- 15-0627** **AGENDA ITEM 11** Public Comment.

Cathy Brandhorst spoke about matters of concern to herself.

- 15-0628** **AGENDA ITEM 9** Possible Closed Session for the purpose of discussing labor negotiations with Washoe County, Truckee Meadows Fire Protection District and/or Sierra Fire Protection District per NRS 288.220.

11:06 a.m. On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried with Commissioner Jung absent, it was ordered that the meeting recess to a closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220. Commissioner Jung made the motion, but stepped out and was absent for the vote.

COMMUNICATIONS AND REPORTS

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

COMMUNICATIONS:

- 15-0629** Agreement between the County of Washoe, a political subdivision of the State of Nevada, and Saint Mary's / Kids to Seniors Korner, a non-profit charitable organization. (Heard at the Board of County Commissioners meeting on August 24, 2010, Minute Item No. 10-788)

15-0630 Letter from Q & D Construction, INc. Re: Contract No. 3591, Project No. SPI-580-1 (022), I 580 at South Virginia (Summit Mall), Washoe County. Notice that the subject contract was completely executed effective June 18, 2015.

15-0631 Regulations of the Washoe County District Board of Health governing food establishments. Adopted by the District Board of Health on May 28, 2015 and approved by the Nevada State Board of Health on June 12, 2015.

MONTHLY STATEMENTS

15-0632 Monthly Statement of the Washoe County Treasurer for Month Ending March 31, 2015.

15-0633 Monthly Statement of the Washoe County Treasurer for Month Ending May 31, 2015.

QUARTERLY FINANCIAL STATEMENTS

15-0634 County Clerk's Quarterly Financial Statement for the Third Quarter of FY 2014-15 (January 1 – March 31).

15-0635 Clerk of the Court, Quarterly Financial Statement for Quarter ending December, 2014.

15-0636 Clerk of the Court, Quarterly Financial Statement for Quarter ending March, 2015.

15-0637 Clerk of the Court, Quarterly Financial Statement for Quarter ending June, 2015.

TENTATIVE BUDGETS / FINAL BUDGETS

15-0638 City of Sparks Tentative Budget for Fiscal Year 2015-16.

15-0639 Redevelopment Agency of the City of Sparks Area One Tentative Budget for Fiscal Year 2015-16.

15-0640 Redevelopment Agency of the City of Sparks Area Two Tentative Budget for Fiscal Year 2015-16.

15-0641 Washoe County School District Tentative Budget for Fiscal Year 2015-16.

15-0642 The Reno-Sparks Convention and Visitors Authority (RSCVA) Tentative Budget for Fiscal Year ending June 30, 2016.

- 15-0643 Verdi Television District Budget for Fiscal Year ending June 30, 2016.
- 15-0644 Sun Valley General Improvement District Budget for Fiscal Year 2015-16.
- 15-0645 Palomino Valley General Improvement District Final Fiscal Year 2015-16 Budget.
- 15-0646 Washoe County Final Budget for Fiscal Year Ending June 30, 2016.
- 15-0647 Gerlach General Improvement District's Final Fiscal Year 2016 Budget.
- 15-0648 Washoe County School District's 2015-16 Final Budget.
- 15-0649 Washoe County School District's 2015-16 Amended Final Budget.

* * * * *

11:31 a.m. There being no further business to discuss, on motion by Commissioner Herman, seconded by Commissioner Lucey, which motion duly carried with Commissioner Jung absent, the meeting was adjourned.

MARSHA BERKBIGLER, Chair
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Michael Siva, Deputy County Clerk*